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REMARKS

This response is intended as a full and complete response to the non-final Office Action mailed November 28, 2005. In the Office Action, the Examiner notes that claims 2-14 are pending and rejected. By this amendment, Applicants cancel claims 2-14 without prejudice or disclaimer and add new claims 15-27. Applicants respectfully request consideration of these new claims.

In view of both the amendments presented above and the following discussion, Applicants submit that none of the claims now pending in the application are anticipated or obvious under the respective provisions of 35 U.S.C. §§102 and 103. Thus, Applicants believe that all of the claims are now in allowable form.

It is to be understood that Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the prior art of record to the pending claims by filing the instant response.

INTERVIEW

A telephone interview with the Examiner occurred on February 27, 2006. The patentability of the new claims over the cited references was discussed.

REJECTIONS

35 U.S.C. §102

Claims 2, 5, 6, and 8-14

The Examiner has rejected claims 2, 5, 6, and 8-14 under 35 U.S.C. §102(e) as being anticipated by Martin, Jr. et al. (U.S. Patent 6,610,105 B1, hereinafter "Martin"). The Examiner's rejection has been rendered moot in light of the cancellation of claims 2, 5, 6, and 8-14. Applicants submit that new claims 15-27 are not anticipated by Martin and are patentable under 35 U.S.C. §102 for the following reasons.

Independent claim 15 recites: (emphasis added)

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15. (New) A system, comprising:
a database for storing a digital identity for each of at least two user devices and providing access to the digital identities;
a command server for storing a plurality of configuration information about each user device and providing access to the configuration information; and
a digital identity server coupled to the database and the command server and including at least two adapters for at least two types of user device, the adapters for storing a plurality of digital identity data, providing access to the digital identity data, and interfacing with each user device, the digital identity server configured for receiving a request from a particular user device via one of the adapters, accessing the digital identity for the particular user device from the database, accessing the configuration information about the particular user device from the command server, applying the configuration information to filter the digital identity, and providing the filtered digital identity to that user device via one of the adapters.

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim" (Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing Connell v. Sears, Roebuck & Co., 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added)). The Martin reference fails to disclose each and every element of the claimed invention, as arranged in the claim.

Specifically, the Martin reference fails to teach or suggest at least two adapters for at least two types of user devices, the adapters for storing a plurality of digital identity data, providing access to the digital identity data, and interfacing with each user device and a digital identity server including the adapters, as claimed. In other words, Martin fails to teach or suggest adapters interfacing between each user device and the digital identity server. By contrast, Martin discloses each mobile device 106 directly communicating with a link server 114. (See Martin, Figures 2A and 2B.)

The Martin reference fails to teach or suggest at least a digital identity server including the adapters and coupled to the database and the command server, as claimed. The Martin reference fails to teach or suggest at least that the digital identity server receives a request from a particular user device via one of the adapters, accesses the digital identity for that user device from the database, accesses the configuration information about that user device from the command server, applies the

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configuration information to filter the digital identity, and provides the filtered digital identity to that user device via one of the adapters, as claimed.

By contrast, Martin discloses that each mobile device 106 is assigned a unique device ID 140 that is associated with a user account. (See Martin, col. 7, lines 33-49.) When the mobile device 106 accesses a wireless portal, it is prompted for authentication code information, including the unique device ID 140. (See Martin, col. 8, lines 60-65.) Thus, Martin does not access the digital identity for the user device from a database, nor access configuration information about that user device from the command server, as claimed. Martin also fails to provide the filtered digital identity to the user device, as claimed. By contrast to the claimed invention, Martin discloses that each application, service, etc. has a "dual" nature, meaning that two displays are generated and stored. (See Martin, col. 9, lines 37-55.) In addition, Martin discloses a URL matching table 400 suitable for synchronizing user interfaces between a PC browser (HTML) and a mobile phone browser (WML). (See Martin, Figure 4A.) Martin discloses that information about the browser that sent the request is used to determine which of the two displays are to be displayed. (See Martin, Figure 4C, col. 11, lines 34-41.) Martin discloses an entirely different system from the claimed invention.

As such, Applicants submit that independent claim 15 is not anticipated by Martin and is patentable under 35 U.S.C. §102. Furthermore, claims 16-27 depend from independent claim 15 and recite additional limitations thereof. As such, Applicants submit that these dependent claims also are not anticipated by Martin and are patentable under 35 U.S.C. §102. Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.

35 U.S.C. §103

Claims 3, 4, and 7

The Examiner has rejected claims 3, 4 and 7 under 35 U.S.C. §103(a) as being unpatentable over Martin in view of Abensour et al. (U.S. Patent No. 6,343,319 B1, hereinafter "Abensour"). Applicants respectfully traverse the rejection, because claims 3, 4, and 7 are cancelled. Applicants submit that new claims 15-27 are not rendered

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obvious by the combination of Martin and Abensour and are patentable under 35 U.S.C. §103 for the following reasons.

The test under 35 U.S.C. §103 is not whether an improvement or a use set forth in a patent would have been obvious or non-obvious; rather the test is whether the claimed invention, considered as a whole, would have been obvious. Jones v. Hardy, 110 USPQ 1021, 1024 (Fed. Cir. 1984) (emphasis added). Moreover, the invention as a whole is not restricted to the specific subject matter claimed, but also embraces its properties and the problem it solves. In re Wright, 6 USPQ 2d 1959, 1961 (Fed. Cir. 1988) (emphasis added). Neither the Martin nor the Abensour references taken alone or in combination teach or suggest Applicants' invention as a whole.

For at least the reasons discussed above with respect to independent claim 15, the Martin reference fails to teach or suggest Applicants' invention as a whole.

The Abensour reference fails to bridge the substantial gap between Martin and Applicants' invention. In particular, Abensour discloses a method and system for curriculum delivery. (See Abensour, abstract.) Abensour relates generally to the field of information delivery devices and instruction techniques for education in remote and underserved areas such as many third world countries. More specifically, Abensour relates to a computerized curriculum capture, organization and delivery system. (Abensour, col. 1, lines 10-15.)

Abensour fails to teach or suggest Applicants' claimed invention. The system components of Abensour are different from the claimed invention. (See Abensour, Figures 1-8.) Abensour, like Martin, fails to teach or suggest at least a digital identity server including the adapters and coupled to the database and the command server, as claimed.

As such, Applicants submit that independent claim 15 is patentable over Martin in view of Abensour under 35 U.S.C. 103(a). Claims 16-27 depend from independent claim 15 and, thus, inherit the patentable subject matter of independent claim 15, while adding additional elements. Therefore, claims 16-27 are also non-obvious and patentable over Martin in view of Abensour under §103 for at least the same reasons that claim 15 is patentable over Martin in view of Abensour under §103. As such,

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Applicants respectfully request that the Examiner's rejection under 35 U.S.C. §103(a) be withdrawn.

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SECONDARY REFERENCES

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to Applicants' disclosure than the primary references cited in the Office Action. Therefore, Applicants believe that a detailed discussion of the secondary references is not necessary for a full and complete response to this Office Action.

CONCLUSION

Thus, Applicants submit that none of the claims, presently in the application, are anticipated or obvious under the respective provisions of 35 U.S.C. §§102 and 103. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Lea Nicholson or Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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Eamon J. Wall
Registration No. 39,414
Attorney for Applicants

PATTERSON & SHERIDAN, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702
Telephone: 732-530-9404
Facsimile: 732-530-9808

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